

SCANNED  
DATE: 2/23/05  
BY: M.P.

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
CLERKS OFFICE  
2005 FEB 18 P 1:17  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

CHRISTOPHER R. BOUSQUET )

Petitioner, )

v. )

EDWARD FICCO, )

Respondent. )

Civil Action No. 04-10601-WGY

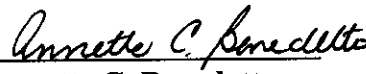
**MOTION TO DISMISS**

The respondent in the above-captioned petition for writ of habeas corpus respectfully moves this Court to dismiss the action for failure to state a claim upon which relief can be granted. Fed. R. Civ. P. 12(b)(6). The petition is time-barred since it was filed beyond the one year period of limitation contained in 28 U.S.C. § 2244 (d)(1)(A).

A memorandum in support of this motion is attached.

Respectfully submitted,

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